

**THE STATE OF NEW HAMPSHIRE**  
**SUPREME COURT**

**In Case No. 2004-0022, In re Juvenile 2004-0022, the court on March 8, 2005, issued the following order:**

The juvenile appeals a finding of true on charges of receiving stolen property, fraudulent use of a credit card and resisting arrest or detention. He argues that the trial court erred in denying his motion to suppress because the police had no reasonable articulable suspicion to detain him. We affirm.

In reviewing the trial court's ruling, we accept its factual findings unless they lack support in the record or are clearly erroneous; we review its legal conclusions de novo. State v. Wiggin, 151 N.H. 305, 307 (2004). To undertake an investigatory stop, a police officer must have reasonable suspicion, based upon specific articulable facts taken together with rational inferences from those facts, that the particular person stopped has been, is, or is about to be engaged in criminal activity. Id.

The juvenile argues that his detention violated his rights under both the State and Federal Constitutions. Even if we assume without deciding that he has preserved his State constitutional claim and that the arresting officer stopped the juvenile when he said, "Hey, come over here," we find no error in the trial court's ruling. At the time the officer ordered the juvenile to approach, he knew: (1) that school was in session; (2) that the juvenile's companion had responded "yes" when asked if they were supposed to be in school; and (3) that the juvenile had been of mandatory school age when he had dealt with him a year earlier. Based upon the record before us, we conclude that the arresting officer had reasonable suspicion to believe that the juvenile was truant from school and therefore to detain him. See RSA 193:1 (1999).

Affirmed.

DALIANIS, DUGGAN and GALWAY, JJ., concurred.

**Eileen Fox,**  
**Clerk**